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Attorneys for Non-Party Sprouts Farmers Market, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

FEDERAL TRADE COMMISSION,
STATE OF ARIZONA,
STATE OF CALIFORNIA,
DISTRICT OF COLUMBIA,
STATE OF ILLINOIS,
STATE OF MARYLAND,
STATE OF NEVADA,
STATE OF NEW MEXICO,
STATE OF OREGON, and
STATE OF WYOMING,

Plaintiffs,

v.

THE KROGER COMPANY and
ALBERTSONS COMPANIES INC.,

Defendants.

Case No. 3:24-cv-00347-AN

**NON-PARTY SPROUTS FARMERS
MARKET, INC.'S NOTICE OF
FILING UNDER SEAL CERTAIN
PARTS OF MOTION TO SEAL AND
FOR *IN CAMERA* TREATMENT OF
CONFIDENTIAL EVIDENTIARY
HEARING EXHIBITS**

NOTICE

Nonparty Sprouts Farmers Market, Inc. (“Sprouts”) is filing today a Motion to Seal and for *In Camera* Treatment of Confidential Evidentiary Hearing Exhibits. The Declaration of Derek Mirza supporting Sprouts’ Motion attaches certain exhibits designated under the Protective Order as Confidential or Highly Confidential and are accordingly being filed under seal. Pursuant to the Protective Order ECF No. 97, Sprouts hereby gives notice that it shall file a public version of the supporting Declaration of Derek Mirza not including the exhibits to that declaration, as well as a separate nonpublic version under seal with all exhibits included.

Dated: August 20, 2024

Respectfully submitted,

DORSEY & WHITNEY LLP

/s/ Benjamin Greenberg

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*Counsel for Non-Party Sprouts Farmers
Market Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2024, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the email addresses indicated on the Court's Electronic Mail Notice List.

Dated this 20th day of August, 2024.

s/Hannah Sutherland
Hannah Sutherland, Legal Assistant